

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MARCELLA FOX,

Plaintiff(s),

v.

RYAN KOVACS, et al.,

Defendant(s).

Case No. 2:24-cv-00047-CDS-NJK

**Order**

[Docket No. 27]

Pending before the Court is Defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty Group LLC's motion to stay discovery pending resolution of their motion to dismiss. Docket No. 27.<sup>1</sup> No response has been filed to the motion to stay discovery and the deadline for doing so has passed. *See* Local Rule 7-2(b); *see also* Local Rule 7-2(d) (explaining that the failure to oppose a motion is generally deemed consent to its granting). Moreover, it appears that the governing standards have been satisfied to stay discovery involving Defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty Group LLC. *See, e.g., Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). Accordingly, the motion to stay discovery is **GRANTED**. Discovery involving Defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty Group LLC is stayed pending resolution of their motion to dismiss. In the event resolution of that motion to dismiss does not result in termination of the case against Defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty Group LLC, then a proposed discovery plan must be filed within 14 days of the issuance of the order resolving that motion to dismiss.

While a stay of discovery is being entered with respect to Defendants Ryan Kovacs, Le Croque Mitaine LLC, and Orange Realty Group LLC, the Court has been provided no reason why

<sup>1</sup> The motion to dismiss has been fully briefed. *See* Docket Nos. 12, 23, 30.

1 discovery should be stayed with respect to Defendant Hopelink of Southern Nevada, which filed  
2 an answer to the complaint and did not join in the pending motion to dismiss. *Cf. White v. Am.*  
3 *Tobacco Co.*, 125 F.R.D. 508, 510 (D. Nev. 1989) (explaining that discovery should not be stayed  
4 with respect to a defendant who did not move to dismiss or join in another defendant's motion to  
5 dismiss). As such, discovery has not been stayed herein with respect to Defendant Hopelink of  
6 Southern Nevada. Plaintiff and Defendant Hopelink of Southern Nevada must engage in a Rule  
7 26(f) conference and file a joint proposed discovery plan by June 3, 2024.<sup>2</sup>

8 IT IS SO ORDERED.

9 Dated: May 13, 2024

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13 Nancy J. Koppe  
14 United States Magistrate Judge  
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27 <sup>2</sup> Nothing herein prevents Plaintiff and/or Defendant Hopelink of Southern Nevada from  
28 seeking to expand the scope of the stay of discovery, if appropriate factual and legal grounds for  
that request exist.